

CHAPTER NO. 934

HOUSE BILL NO. 2714

By Representatives Kernell, Henri Brooks, Cooper

Substituted for: Senate Bill No. 2529

By Senators Harper, Finney

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29, relative to the Tennessee medical laboratory board.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-29-226(a), is amended by deleting subdivision (43) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-231(a), is amended by adding a new subdivision thereto, as follows:

() Tennessee medical laboratory board, created by § 68-29-109;

SECTION 3.

(a) Notwithstanding any provisions of official compilation Rules and Regulations of the State of Tennessee, Rule 1200-6-1 or any other rule promulgated by the medical laboratory board to the contrary, a licensed Tennessee medical laboratory that is certified by the United States Department of Health and Human Resources Substance Abuse and Mental Health Service Administrations (SAMHSA), or the American Society of Crime Laboratory Directors (ASCLD) or the American Board of Forensic Toxicology (ABFT) is exempt from the provisions of title 68, chapter 29, part 1 and any rules promulgated thereunder which require persons who perform forensic and compliance analytical testing or report the results of an examination to be under the supervision of a licensed medical laboratory director, medical laboratory supervisor or medical laboratory technologist or other person so designated by the rules and regulations of the medical laboratory board and which require that only licensed medical laboratory technologists or medical laboratory technicians may perform drug testing analyses. In such medical laboratories, laboratory scientists with at least a four (4) year baccalaureate degree in chemistry, biology or physics from an accredited institution and who meet SAMHSA, ASCLD or ABFT requirements may perform forensic and compliance drug testing analyses only.

(b) Nothing in this section shall be construed to authorize a person who is not licensed pursuant to title 68, chapter 29, part 1 to perform clinical tests or analyses on any specimen of any kind.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 27, 2006


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 20th day of June 2006


PHIL BREDESEN, GOVERNOR